



National Aeronautics and
Space Administration

Principal Center for Regulatory Risk Analysis and Communication

Regulatory Tracking Summary

02 – 13 July 2007

This report summarizes regulatory items reviewed by the NASA RRAC PC during the timeframe. Items that appeared to have limited interest to the NASA community, or are provided for information only, are shown in light gray text. Notes and comments by the RRAC PC are shown in bold, blue text under “Description.” Related documents and citations, such as “71 FR 51967,” are linked to the appropriate document for quick access. Suggested follow-up actions are noted with significant items; users are advised that other follow-up actions may be appropriate for their program or facility.

Previous issues of this regulatory summary are archived on the RRAC PC website at <http://www.rracpc.org>. Comments, questions, suggestions, and requests for further information should be directed to the RRAC PC Lead, Sharon Scroggins/MSFC at 256-544-7932 (sharon.scroggins@nasa.gov).

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Acronyms

ADEM = Alabama Department of Environmental Management	NP = Nonylphenol
ANPRM = Advance Notice of Proposed Rulemaking	NPE = Nonylphenol ethyoxylates
CAA = Clean Air Act	NPL = National Priorities List
CAAWG = Clean Air Act Working Group	NPRM = Notice of Proposed Rulemaking
CAIR = Clean Air Interstate Rule	NRC = Nuclear Regulatory Commission
CEQ = Council on Environmental Quality	NSPS = New Source Performance Standards
CERCLA = Comprehensive Environmental Response, Compensation, and Liability Act	OAC = Ohio Administrative Code
CFR = <i>Code of Federal Regulations</i>	ODS = Ozone depleting substances
COMAR = <i>Code of Maryland Regulations</i>	OEPA = Ohio Environmental Protection Agency
CRNR = <i>California Regulatory Notice Register</i>	OFA = Office of Federal Activities
CRT = Cathode ray tube	OMB = Office of Management and Budget
CSA = Controlled Substances Act	ORVR = Onboard refueling vapor recovery
CWA = Clean Water Act	OSHA = Occupational Health and Safety Administration
DEA = Drug Enforcement Administration	PAL = Plantwide applicability limit
DEQ = Department of Environmental Quality	PAMS = Photochemical Assessment Monitoring Stations
DOT = U.S. Department of Transportation	PFAC = Perfluoroalkyl carboxylates
EPA = U.S. Environmental Protection Agency	PFAS = Perfluoroalkyl sulfonates
EPCRA = Emergency Planning and Community Right-to-Know Act	PM2.5 = Particulate matter having an aerodynamic equivalent diameter of 2.5 microns or less
F.A.C. = Florida Administrative Code	PM10 = Suspended particulate matter
FAW = <i>Florida Administrative Weekly</i>	ppm = Parts per million
FDEP = Florida Department of Environmental Protection	PRP = Primary responsible party
FR = <i>Federal Register</i>	PSD = Prevention of Significant Deterioration
GSE = Ground support equipment	PTI = Permit-to-install
HAP = Hazardous air pollutant	PTIO = Permit-to-install and operate
IAEA = International Atomic Energy Agency	PTO = Permit-to-operate
ICR = Information Collection Request	QA = Quality assurance
JCAAR = Joint Committee on Agency Rule Review	RCRA = Resource Conservation and Recovery Act
kg = Kilogram	RIN = Regulatory Identification Number
KSC = Kennedy Space Center	RRAC PC = Principal Center for Regulatory Risk Analysis and Communication
LAC = Louisiana Administrative Code	SCAQMD = South Coast Air Quality Management District
MAF = Michoud Assembly Facility	SIP = State Implementation Plan
MDE = Maryland Department of Environment	SLAMS = State or Local Air Monitoring Stations
µg/m ³ = Micrograms per cubic meter	SNUR = Significant new use rule
MSFC = Marshall Space Flight Center	SO ₂ = Sulfur dioxide
NAAQS = National Ambient Air Quality Standards	TCEQ = Texas Commission on Environmental Quality
NAMS = National Air Monitoring Stations	TMDL = Total maximum daily limit
NASA = National Aeronautics and Space Administration	TRI = Toxics Release Inventory
NEPA = National Environmental Policy Act	TSCA = Toxic Substances Control Act
NESHAP = National Emission Standards for Hazardous Air Pollutants	USFWS = U.S. Fish and Wildlife Service
NMAC = New Mexico Administrative Code	VAC = Virginia Administrative Code
NMED = New Mexico Environmental Department	VOC = Volatile organic compound
NMSP = Nanoscale Materials Stewardship Program	WQCP = Water Quality Control Plan
NOA = Notice of Availability	WQS = Water Quality Standards
NOx = Nitrogen oxide	WSTF = White Sands Testing Facility

1.0 U.S. Federal Regulatory Review

1.1 Federal Register Summary

This summary includes FR items that were reviewed for potential impacts on NASA Centers and Programs.

Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
Fed-2007-129	CAA NAAQS–Ozone	07/11/2007	72 FR 37817	Proposed Rule	National Ambient Air Quality Standards for Ozone [40 CFR Part 50]	NASA facilities should be aware of the proposed changes, which may change the attainment status of some counties.
			72 FR 37682	Notice of Public Hearings	<p>Proposes to revise the primary and secondary NAAQS for ozone and to make corresponding revisions in data handling conventions for ozone. With regard to the primary standard:</p> <ul style="list-style-type: none"> Proposes to specify the level of the primary standard to the nearest thousandth ppm Proposes to revise the 8-hour standard to a level within the range of 0.070 to 0.075 ppm. Solicits comment on alternative levels down to 0.060 ppm and up to and including retaining the current 8-hour standard of 0.08 ppm (effectively 0.084 ppm using current data rounding conventions). <p>With regard to the secondary standard, proposes to revise the current 8-hour standard with one of two options to provide increased protection against ozone-related adverse impacts on vegetation and forested ecosystems:</p> <ul style="list-style-type: none"> Replace the current standard with a cumulative, seasonal standard, or Make the secondary standard identical to the proposed primary 8-hour standard. <p>Comments are due 10/09/2007. Public hearings are scheduled 08/30/2007 (Philadelphia and Los Angeles) and 09/05/2007 (Atlanta, Chicago, and Houston) [RIN 2060-AN24].</p> <p>Further information on the NAAQS for Ozone is posted at http://www.epa.gov/ttn/naaqs/standards/ozone/s_o3_index.html.</p>	
Fed-2007-130	CAA VOC Control Guidelines	07/10/2007	72 FR 37581	Proposed Rule	<p>Consumer and Commercial Products: Control Techniques Guidelines in Lieu of Regulations for Paper, Film, and Foil Coatings; Metal Furniture Coatings; and Large Appliance Coatings [40 CFR Part 59]</p> <p>Proposes Control Techniques Guidelines for reducing emissions of VOCs in ozone nonattainment areas from the following three product categories:</p> <ul style="list-style-type: none"> Paper, film, and foil coatings Metal furniture coatings Large appliance coatings <p>Once finalized, these Control Techniques Guidelines will provide guidance to the states concerning EPA's recommendations for reasonably available control technology-level controls for these product categories. Comments are due 08/24/2007 [RIN 2060-A014].</p> <p>Such guidelines are advisory, not mandatory, and are intended to be a resource for states to determine appropriate controls to impose on end-users for controlling VOC emissions to reduce ozone pollution.</p>	

Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
Fed-2007-131	CERCLA Interaction Profiles	07/03/2007	72 FR 36456	Notice of Intent	<p>Agency for Toxic Substances and Disease Registry Intent To Develop Two Interaction Profiles</p> <p>Announces intent to develop two interaction profiles. Document 1 is an interaction profile for:</p> <ul style="list-style-type: none"> ▪ Chlorinated dibenzo-p-dioxins ▪ Polybrominated diphenyl ethers, and ▪ Phthalates. <p>Document 2 is an interaction profile for:</p> <ul style="list-style-type: none"> ▪ Pyrethroid pesticides ▪ Organophosphate pesticides ▪ Polychlorinated biphenyls <p>Interaction profiles are developed for chemical mixture hazardous substances at NPL sites. The purpose is to evaluate data about the toxicology of the whole mixture and about the joint toxic action of the chemicals in the mixture to recommend approaches for exposure-based assessment. Comments are due 07/15/2007. Development of the interaction profiles will start 07/15/2007.</p>	
Fed-2007-132	Conservation Practices National Handbook of Conservation Practices	07/09/2007	72 FR 37184	Notice of Availability	<p>Natural Resources Conservation Service</p> <p>Notice of Proposed Changes to the Natural Resources Conservation Service's National Handbook of Conservation Practices</p> <p>Notice of intention to issue a series of new or revised conservation practice standards in the National Handbook of Conservation Practices. These standards include the following:</p> <ul style="list-style-type: none"> ▪ "Agrichemical Handling Facility (Code 309)" (new standard) ▪ "Fence (Code 382)" (revised standard) <p>These practices may be used in conservation systems that treat highly erodible land or on land determined to be a wetland. Comments are due 08/08/2007.</p>	
Fed-2007-133	DEA Iodine	07/02/2007	72 FR 35920	Final Rule	<p>DEA</p> <p>Changes in the Regulation of Iodine Crystals and Chemical Mixtures Containing over 2.2 Percent Iodine [21 CFR Parts 1309 and 1310]</p> <p>Changes the regulation of iodine under the chemical regulatory provisions of the CSA due to its uses related to illicit drug manufacturing. Key points of the rule include the following:</p> <ul style="list-style-type: none"> ▪ Moves iodine from List II to List I ▪ Removes the iodine threshold (reduced from 0.4 kg to 0 kg) ▪ Adds import and export regulatory controls ▪ Controls chemical mixtures containing more than 2.2-percent iodine <p>Effective on 08/01/2007. Facilities that must register should do so by 08/31/2007.</p> <p>A regulatory alert was prepared on this rulemaking and is available on the RRAC PC website. Requirements under this regulation may vary by facility, depending on the materials used, the types of operations, and whether the material is shipped from the facility.</p>	Facilities that use or handle iodine mixtures containing more than 2.2 percent iodine should review for applicability.

Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
Fed-2007-134	Endangered Species Act Bald Eagle Delisting	07/09/2007	72 FR 37345	Final Rule	<p>USFWS</p> <p>Endangered and Threatened Wildlife and Plants; Removing the Bald Eagle in the Lower 48 States from the List of Endangered and Threatened Wildlife [50 CFR Part 17]</p> <p>Removes the bald eagle in the lower 48 states of the U.S. from the Federal List of Endangered and Threatened Wildlife. The protections provided to the bald eagle under the Bald and Golden Eagle Protection Act and the Migratory Bird Treaty Act will continue to remain in place after the species is delisted. Effective 08/08/2007 [RIN 1018-AF21].</p> <p>A regulatory definition of "disturb" recently was published to help provide more clarity about the management of bald eagles after delisting, along with the final National Bald Eagle Management Guidelines and a proposed rule for a new permit that would authorize limited take and grandfather existing authorizations (72 FR 31131, 72 FR 31141, and 72 FR 31156).</p>	
Fed-2007-135	Endangered Species Act Bald Eagle Post-Delisting Monitoring Plan	07/09/2007	72 FR 37373	Notice of Availability	<p>Fish and Wildlife Service</p> <p>Endangered and Threatened Wildlife and Plants; Draft Post-delisting Monitoring Plan for the Bald Eagle (<i>Haliaeetus leucocephalus</i>) and Proposed Information Collection</p> <p>Announces availability of the draft post-delisting monitoring plan for the bald eagle. Comments are due 10/09/2007.</p>	
Fed-2007-136	EPCRA	07/11/2007	72 FR 37762	Notice	<p>Agency Information Collection Activities, Proposed Collections; Toxic Chemical Release Reporting; Request for Comments on Proposed Renewals of Form R (EPA ICR No. 1363.15, OMB Control No. 2070-0093) and Form A Certification Statement (EPA ICR No. 1704.09, OMB Control No. 2070-0143)</p> <p>Announces that EPA plans to submit a request to OMB to renew the existing approved ICRs for the TRI reporting Form R and the Form A Certification Statement. Before submitting the requests, EPA is soliciting public comments about the proposed information collections and incorporating proposed minor changes, as described in this notice. Comments are due 09/10/2007.</p>	
Fed-2007-137	Hazardous Materials Regulations Emergency Response Telephone Numbers	07/02/2007	72 FR 35961	Proposed Rule	<p>Pipeline and Hazardous Materials Safety Administration</p> <p>Hazardous Materials: Revision of Requirements for Emergency Response Telephone Numbers [49 CFR Part 172]</p> <p>Proposes to amend the Hazardous Materials Regulations to clarify requirements governing emergency response information services provided by arrangement with hazardous materials offerors. Proposes to require that basic identifying information (offeror name or contract number) be included in the shipping papers. This information will link the emergency response service provider to the original shipper who arranged for the emergency response service in the event of a hazardous materials incident. Comments are due 08/31/2007 [RIN 2137-AE21].</p>	

Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
Fed-2007-138	Nanotechnology Pollution Prevention	07/02/2007	72 FR 35991	Notice	<p>Pollution Prevention through Nanotechnology Conference; Notice of Public Meeting</p> <p>Announces a conference about using nanotechnology to develop new ways to prevent pollution. The goal is to help inform subsequent research and commercialization of nanotechnology and nanomaterials that promote pollution prevention in an environmentally responsible manner. The conference is focused on three major areas of pollution prevention:</p> <ul style="list-style-type: none"> ▪ Products—less toxic, less polluting, and wear resistant ▪ Processes—more efficient and waste-reducing ▪ Energy and resource efficiency—processes and products that use less energy and fewer raw materials because of greater efficiency. <p>The conference will be held 09/25/2007 through 09/26/2007. Registration is due 09/14/2007. Poster applications are due 07/31/2007.</p> <p>For more information or to register, see the Conference website on EPA's Nanotechnology website.</p>	
Fed-2007-139	Nanotechnology Nanoscale Materials Stewardship Program	07/12/2007	72 FR 38081	Notice	<p>Nanoscale Materials Stewardship Program; Notice of Public Meeting</p> <p>Announces a public meeting on the development of a voluntary NMSP under TSCA. NMSP is a voluntary program intended to complement and support new and existing chemical programs under TSCA and will help provide a firmer scientific foundation for regulatory decisions by encouraging the development of key scientific information and appropriate risk management practices for nanoscale chemical substances ("nanoscale materials"). The meeting will be held 08/02/2007.</p> <p>See related item below. For further information about EPA's nanotechnology-related activities, see EPA's Nanotechnology website.</p>	
Fed-2007-140	Nanotechnology Nanoscale Materials Stewardship Program	07/12/2007	72 FR 38083	Notice of Availability	<p>NMSP and Inventory Status of Nanoscale Substances under the TSCA; NOA</p> <p>Announces the availability of two draft documents for public review and comment:</p> <ul style="list-style-type: none"> ▪ "TSCA Inventory Status of Nanoscale Substances--General Approach" <ul style="list-style-type: none"> ▪ Describes the current thinking regarding whether a nanoscale material is a "new" or "existing" chemical substance under TSCA ▪ "Concept Paper for the Nanoscale Materials Stewardship Program under TSCA" <ul style="list-style-type: none"> ▪ Describes the general approach, issues, and considerations for NMSP ▪ Intended to serve as a starting point for continuing work with stakeholders on the detailed design of NMSP <p>Comments are due 09/10/2007.</p> <p>See related item above. For further information about EPA's nanotechnology-related activities, see EPA's Nanotechnology website.</p>	

Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
Fed-2007-141	Nuclear Radioactive Materials Licenses	07/03/2007	72 FR 36526	Notice of Availability	<p>Nuclear Regulatory Commission (NRC)</p> <p>NUREG-1556, Volume 13, Revision 1, "Consolidated Guidance About Materials Licenses Program-specific Guidance About Commercial Radiopharmacy Licenses"; Draft Guidance Document for Comment</p> <p>Announces the availability of licensing guidance document NUREG-1556, Volume 13, Revision 1, "Consolidated Guidance About Materials Licenses--Program-specific Guidance About Commercial Radiopharmacy Licenses". NRC amended its regulations to include jurisdiction over certain radium sources, accelerator-produced radioactive materials, and certain naturally occurring radioactive materials. NRC is revising its regulations to provide a regulatory framework that includes these radioactive materials. This licensing guidance document is being revised to provide guidance related to the new requirements. Comments are due 08/02/2007.</p>	
Fed-2007-142	Nuclear Radioactive Material Transport	07/10/2007	72 FR 37471	Solicitation Proposed Issues or Identified Problems	<p>NRC</p> <p>Regulations for the Safe Transport of Radioactive Material; Solicitation of Issue Proposals [10 CFR Part 71]</p> <p>Solicits proposed issues or identified problems with the IAEA Regulations for the Safe Transport of Radioactive Material (referred to as TS-R-1). The IAEA recently initiated the review cycle for a potential 2011 edition of TS-R-1. The focus of this solicitation is to identify issues or problems with the current 2005 edition of TS-R-1 to assist the DOT and the NRC as they develop the proposed issues the U.S. will submit to the IAEA.</p>	
Fed-2007-143	OSHA Methylene Chloride Standard	07/10/2007	72 FR 37501	Notice	<p>OSHA</p> <p>Regulatory Flexibility Act Review of the Methylene Chloride Standard [29 CFR Part 1910]</p> <p>Requests comments on the OSHA Methylene Chloride Standard to determine whether modifications are needed to reduce the regulatory burden on small business and to improve the effectiveness. Comments are due 10/09/2007 [RIN 1218-AC 23].</p>	
Fed-2007-144	TSCA Section 21 Petition	07/10/2007	72 FR 37530	Notice	<p>TSCA Section 21 Petition on Nonylphenol and Nonylphenol Ethoxylates; Notice of Receipt</p> <p>Announces that EPA has received and requests comments on a petition concerning NP and NPE. Petitioners request that EPA require manufacturers and importers to conduct specific health and safety studies, require labeling on all products containing NP and NPE, and limit the use of NP and NPE in certain circumstances. EPA will respond to the petition by 09/04/2007. Comments are due 07/25/2007.</p> <p>NP and NPE are used in detergents and cleaning solutions.</p>	NASA programs should be aware that NP and NPE may pose future materials obsolescence risks.

1.2 Status of Selected Continuing Actions in Progress

This section provides the status of selected actions the RRAC PC is actively tracking. Questions about any of these actions or suggestions for additions to this list should be directed to Sharon Scroggins/MSFC.

Significant Dates		Subject Action [RIN]	Type of Action	Comments
NPRM	08/2007	NESHAP: Defense Land Systems and Miscellaneous Equipment [2060-AM84]	Pre-rule	Possible impact to Ground Operations.
Final Action	08/2008			Will cover surface cleaning, preparation, coating, and stripping operations on non-flight hardware at some NASA facilities. Could affect launch pads and GSE.
NPRM	09/2007	ODS: Continued Use of ODS in Mission-Critical Applications	Pre-rule	Space vehicle operational impacts.
Final Action	01/2009			NASA is currently in discussions with EPA regarding options to enable future use of relatively small quantities of ODS for mission-critical applications. Latest discussions suggest that future production of ODS will require the certified destruction of other, existing ODS (contaminated, etc.) with an offset of approximately 15 percent.
ANPRM	03/29/2007	NESHAP: Risk and Technology Review, Phase II [2060-AN85]	Pre-rule	Possible space vehicle operational or materials impacts.
NPRM	08/2007			Evaluation of residual risk remaining after the implementation of numerous NESHAPs, including those regulating the Aerospace and Chrome Electroplating source categories. This rulemaking represents a relatively low risk of EPA imposing limits on HAP and VOC levels contained in coatings, cleaning solvents, and other materials used on flight hardware. Potential further restrictions on the chrome electroplating or other source categories also could affect vendor facilities.
Final	06/2009			
NPRM	06/2007	Area Sources: Surface Coating and Paint Stripping [2060-AN21]	Pre-rule	Possible space vehicle operational or materials impacts.
Final Action	12/2007			EPA has merged three area source categories into one standard: Autobody Refinishing; Plastic Parts and Products Surface Coating; and Paint Stripping. The resulting standard will regulate certain surface coating, cleaning and paint stripping operations at area sources of HAPs, potentially including some space vehicle operations. For NASA, KSC and MSFC are major sources of HAPs. Other NASA Centers that have HAP emissions would be considered as area sources.
NPRM	01/03/2007	NESHAP General Provisions—Once In, Always In [2060-AM75]	Proposed Rule	Possible impacts to facilities, including space flight support facilities.
Final Action	12/2007			KSC and MSFC currently are major sources of HAPs; MAF recently attained “synthetic minor” status. As proposed, this rule potentially could allow MAF to be considered an area source, no longer subject to any NESHAP requirements for major sources. However, this rule also will require any facility switching from major source to area source status to comply with any applicable area source regulations.
NPRM	03/07/2006	SNUR: Perfluorinated Polymers [2070-AD58]	Proposed Rule	Possible space vehicle materials impacts.
Final Action	01/2008			Rule would require manufacturers to notify EPA of any new materials or significant uses of perfluorinated polymers including those containing PFASs; PFACs; fluorotelomers; or perfluoroalkyl moieties that are covalently bound to a carbon or a sulfur atom where the carbon or sulfur atom is an integral part of the polymer molecule.
NPRM	03/10/2006	SNUR: PFAS [2070-AJ18]	Proposed Rule	Possible space vehicle materials impacts.
Final Action	TBD			Rule would limit or eliminate uses of PFAS, a family of chemicals used as additives, waterproofing agents, etc. The rule effectively would allow the use of PFAS chemicals only as components of aviation hydraulic fluids; photoresist substances; anti-reflective coatings; coatings for surface tension, static discharge, and adhesion control related to imaging applications; or as a chemical intermediate. It is unknown whether regulating additional PFAS-related chemicals would affect current operational materials.

Significant Dates		Subject Action [RIN]	Type of Action	Comments
NPRM	08/11/2006	71 FR 46144	Final Rule	Possible space vehicle materials impacts.
Final Action	07/02/2007	72 FR 35920		<p>Changes the regulation of iodine due to its uses related to illicit drug manufacturing. Key points of the rule include the following:</p> <ul style="list-style-type: none"> ▪ Moves iodine from List II to List I ▪ Removes the iodine threshold (reduced from 0.4 kg to 0 kg) ▪ Adds import and export regulatory controls ▪ Controls chemical mixtures containing greater than 2.2-percent iodine. <p>A regulatory alert was prepared on this rulemaking and is available on the RRAC PC website.</p>

1.3 Discussion of Significant Actions and Other Developments

1.3.1 EPA Issues Guidance on Reflecting the Revised National Ambient Air Quality Standards for Particulate Matter 2.5 in NEPA Evaluations

On 17 October 2006, EPA issued a final rule for a lowering the 24-hour NAAQS for PM_{2.5} from 65 µg/m³ to 35 µg/m³. EPA's OFA received inquiries as to how reflect this revised standard in NEPA evaluations for proposed actions. OFA issued a [memorandum](#) stating that the lowered 24-hour NAAQS for PM 2.5 should be used as a threshold, along with the annual PM 2.5 NAAQS of 15 µg/m³, when determining the significance of proposed actions in NEPA evaluations. For proposed actions for which NEPA analyses have already been completed but the proposed action has not yet been implemented, it is recommended that the lowered NAAQS for PM 2.5 be considered and supplemental NEPA documentation prepared, if appropriate.

1.4 Clean Air Act Working Group Updates

1.4.1 Clean Air Act Working Group Telecons for 2007

The CAAWG will hold telecons on the following Wednesdays in 2007 at 2 p.m. ET, 1 p.m. CT, 12 p.m. MT, and 11 a.m. PT:

- 15 August 2007
- 19 September 2007
- 17 October 2007
- 14 November 2007
- 19 December 2007

2.0 State Regulatory Reviews

The following sections provide details of regulatory actions reviewed for states in which NASA facilities are located.

2.1 Alabama State Regulatory Review

This summary includes items that were reviewed for potential impact to NASA Centers and Programs in Alabama.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
AL-2007-13	Air SIP	07/12/2007	72 FR 38045	Proposed Rule	<p>EPA</p> <p>Approval of Implementation Plans of Alabama: CAIR [40 CFR 52]</p> <p>Proposes to approve a revision to the Alabama SIP that addresses the requirements of EPA's CAIR. EPA is proposing to determine that the SIP revision fully implement the CAIR requirements for Alabama. Therefore, as a consequence of the SIP approval, EPA also will withdraw the CAIR Federal Implementation Plans concerning SO₂ and NOX annual and NOX ozone season emissions for Alabama. Comments are due 08/13/2007.</p>	

2.2 California State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in California.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA-2007-57	Air Air Quality	07/06/2007	California Register, No. 27z, p. 1167	Rule Amendment	<p>Air Resources Board</p> <p>Area Designation</p> <p>Revision and update to area designations for the following pollutants: ozone, carbon monoxide, PM10, and PM2.5. Effective 07/26/2007.</p> <p>More information about the area designations is provided on the Board's website.</p>	
CA-2007-58	Air Fuel Distribution	07/06/2007	California Register, No. 27z, p. 1163	Notice Public Comment Period	<p>Air Resources Board</p> <p>Proposed Amendments to the List of Equipment Defects that Substantially Impair the Effectiveness of Gasoline Vapor Recovery Systems</p> <p>Proposes amendments to the subject list, which is related to motor vehicle refueling operations. Comments are due 08/21/2007.</p>	
CA-2007-59	Air Motor Vehicles	07/13/2007	California Register, No. 28z, p. 1203	Rule Amendment	<p>Air Resources Board</p> <p>Motor Vehicle Pollution Control Devices</p> <p>Update to Title 13, Division 3, Chapter 1, Article 2, Section 1969–Motor Vehicle Service Information</p>	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA-2007-60	Air Permit	06/01/2007 (Date Amended)	Rule 219	Rule Amendment	<p>South Coast Air Quality Management District</p> <p>Rule 219–Equipment not Requiring a Written Permit Pursuant to Regulation II</p> <p>Amendment to the rule for identifying equipment, processes, or operations that emit small amounts of air contaminants that do not require written permits.</p> <p>Most information is available on the District's website.</p>	NASA facilities should be aware of this rule modification by SCAQMD.
CA-2007-61	Air Volatile Organic Compounds	06/01/2007 (Date Amended)	Rule 1173	Rule Amendment	<p>South Coast Air Quality Management District</p> <p>Rule 1173–Control of Volatile Organic Compound Leaks and Releases from Components at Petroleum Facilities and Chemical Plants</p> <p>Amendments to Purpose, Applicability, Definitions sections of the rule. Addition of Atmospheric Process PRD Requirements.</p> <p>This rule applies to refineries, chemical plants, lubricating oil and grease re-refiners, marine terminals, oil and gas production fields, natural gas processing plants and pipeline transfer stations. For the purposes of this rule, “chemical plant” is defined as “any facility engaged in producing chemicals, and/or manufacturing products by chemical processes.” More information is available on the District's website.</p>	
CA-2007-62	Hazardous Waste	07/13/2007	California Register, No. 28z, p. 1205	Rule Amendment	<p>Department of Toxic Substances and Controls</p> <p>Identification and Listing of Hazardous Waste</p> <p>Updates to Section 66261.9.5–Requirements for Treated Wood Waste and Appendix XII–California Hazardous Waste Codes</p>	
CA-2007-63	Water Control Plans	07/06/2007	California Register, No. 27z, p. 1169	Notice	<p>State Water Resources Control Board</p> <p>Amendment to the WQCP for the Bay-Delta</p> <p>This action updates the San Francisco Bay/Sacramento–San Joaquin Delta Estuary Water Quality Control Plan.</p> <p>Further information about this program may be found on the Board's website.</p>	There are no NASA facilities in this area; however, other Boards may adopt similar rules.

2.3 Florida State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Florida.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
FL-2007-59	Air Fees	07/13/2007	FAW Notice #4319427	Notice Rule Development Workshop	<p>Chapter 62–FDEP 213–Operation Permits for Major Sources of Air Pollution</p> <p>The proposed rule development involves an amendment to Chapter 62-213, F.A.C., to increase the annual Title V emissions factor. Further information, when available, will be posted on the FDEP's website.</p> <p>A workshop is scheduled for 08/01/2007 at 1:30 p.m. at FDEP, Tallahassee, Florida.</p>	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
FL-2007-60	Air General Provisions	07/02/2007	FAW Notice #4328933	Final Rule	<p>Chapter 62–FDEP 204–Air Pollution Control General Provisions</p> <p>The final rule updates, through 05/31/2007, the FDEP's adoption-by-reference of air pollution regulations promulgated by the EPA at 40 CFR Parts 50, 51, 53, 58, 63 and 74, as described below:</p> <ul style="list-style-type: none"> 40 CFR 50, National Primary and Secondary Ambient Air Quality Standards <ul style="list-style-type: none"> Adopted Appendix K, Appendix L, and Appendix O 40 CFR 51, Subpart F, Procedural Requirements <ul style="list-style-type: none"> Updated volatile organic compounds (VOCs) list 40 CFR 53, Subpart A, General Provisions <ul style="list-style-type: none"> Updated requirements for reference method determinations, processing of applications, and conditions of designation 40 CFR 53, Subpart C, Procedures for Determining Comparability Between Candidate Methods and Reference Methods <ul style="list-style-type: none"> Updates include the deletion of 53.31 Test Conditions, designation of classifications of PM10, PM2.5, and PM10-2.5 testing methods, and new figures for test results reporting the slope and intercept limits for classes of PM2.5 and PM10 40 CFR 53, Ambient Air Monitoring References and Equivalent Methods, Subpart E, Procedures for Testing Physical (Design) and Performance Characteristics of Reference Methods and Class I and Class II Equivalent Methods for PM2.5 or PM10-2.5 <ul style="list-style-type: none"> Updates requirements for PM2.5 or PM10-2.5 sampler 40 CFR 58, Ambient Air Quality Surveillance, Subpart A, General Provisions <ul style="list-style-type: none"> Update to 58.2. Deletes references to SLAMS, NAMS, and PAMS) 40 CFR 58, Ambient Air Quality Surveillance, Subpart D <ul style="list-style-type: none"> Deleted all references to NAMS and NAMS requirements 40 CFR 58, Ambient Air Quality Surveillance, Subpart G, Federal Monitoring <ul style="list-style-type: none"> Deleted references to NAMS. Inserted Appendix A: Quality Assurance Requirements for SLAMS, SPMS, and PSD Air Monitoring 40 CFR 58, Ambient Air Quality Surveillance <ul style="list-style-type: none"> Adopted Appendix C: Ambient Air Quality Monitoring 	
FL-2007-61	Air Regional Haze	07/13/2007	FAW Notice #4318651	Notice Rule Development Workshop	<p>Chapter 62–FDEP 296–Stationary Sources–Emission Standards</p> <p>This is the second rule development workshop to consider proposed amendments to Chapter 62-296, F.A.C. The proposed new rule section addresses air permitting and control technology requirements for sources subject to the reasonable progress portion of EPA's regional haze regulations.</p> <p>This workshop is scheduled for 08/01/2007 at 10:00 a.m. at FDEP, Tallahassee, Florida.</p>	
FL-2007-62	Air Stationary Sources	07/13/2007	FAW Notice #4344356	Final Rule	<p>Chapter 62–FDEP 210.200–Definitions</p> <p>Amends definitions of certain terms used in the FDEP's air permitting program, consistent with recent revisions to EPA regulations. The definitions of "Major Stationary Source" and "Significant Emission Rate" have been modified to include nitrous oxides. Changes are effective 07/16/2007.</p>	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
FL-2007-63	Air Stationary Sources Pre-construction Review	07/13/2007	FAW Notice #4344550 FAW Notice #434455	Final Rule	Chapter 62–FDEP 212.400 Prevention of Significant Deterioration Chapter 62–FDEP 212.720 Actuals Plantwide Applicability Limits Amends the PSD air permitting rule consistent with recent revisions to EPA regulations . In addition, clarifies that, in providing for public participation in the PSD permitting process, applicable state administrative procedures are followed rather than federal procedures, and that in applying the provisions of 40 CFR 52.21 cited from within the FDEP's PSD and PAL permitting rules, the term "Administrator" shall mean "Department." Changes are effective 07/16/2007.	
FL-2007-64	Air Title V Permits	07/13/2007	FAW Notice #4319427	Notice Rule Development Workshop	Chapter 62–FDEP 213.205–Operation permits for major sources of air pollution Proposed rule development amends Chapter 62-213, F.A.C., to increase the annual Title V emissions factor. There is no draft rule language available at this time; however, the department intends to post draft rule language at the following website by 07/25/2007: http://www.dep.state.fl.us/Air/rules/regulatory.htm . A rule development workshop is scheduled for 08/01/2007 at 1:30 p.m. at FDEP, Tallahassee, Florida.	
FL-2007-65	Water Quality Assurance	07/06/2007	FAW Notice #4328448	Notice Rule Development Workshop	Chapter 62–FDEP 160–Quality Assurance The purpose of this meeting is to solicit public comments on proposed revisions to Chapter 62-160, F.A.C., and revisions to the following selected documents that are incorporated by reference: <ul style="list-style-type: none"> FDEP SOPs for Field Activities, DEP-SOP-001/01 FDEP SOPs for Laboratory Activities, DEP-SOP-002/01 New and Alternative Analytical Laboratory Methods, DEP-QA-001/01 FDEP Guidelines for Assessing Data Usability, DEP-EA-001/07. Rule development workshops are scheduled for: <ul style="list-style-type: none"> 08/07/2007 at 9:00 a.m., Gainesville, FL 08/08/2007 at 9:00 a.m., Temple Terrace, FL 08/09/2007 at 9:00 a.m., West Palm Beach, FL 08/13/2007 at 9:00 a.m., Tallahassee, FL 	

2.4 Hawaii State Regulatory Review

No items of interest were identified during this reporting period for Hawaii.

2.5 Louisiana State Regulatory Review

This summary includes items that were reviewed for potential impact to NASA Centers and Programs in Louisiana.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
LA-2007-18	Environmental Quality	07/20/2007	(LAC 33:I, III, V, VI, VII, IX, XI, and XV)	Proposed Rule	DEQ Departmental Designations Updates DEQ department designations to reflect the current organizational structure and work flow.	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
LA-2007-19	Office of the Secretary Permit Application Review	07/20/2007	LAC 33:1.1501, 1503, and 1505	Final Rule	<p>Office of the Secretary</p> <p>Permit Application Review Timeline</p> <p>This rule change applies to permit applications for new facilities and to applications for substantial permit modifications submitted to the department. Effective on 07/20/2007. Changes and/or clarifications include the following:</p> <ul style="list-style-type: none"> Administratively Complete—in reference to an application for a permit, that the application contains all of the information necessary for the administrative processing of the application. Processing Day—except as otherwise provided herein, a day during which an Application is available to the department for review and decision in the permit decision development process. Suspended Application—a permit application that is not eligible to be processed for a permit decision because administrative or technical information requested by the department has not been submitted by the applicant within the time period specified by the department. Administrative Completeness review must be completed within 60 processing days. The agency will issue a final decision within 300 processing days from the submission date of the application. 	

2.6 Maryland State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Maryland.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
MD-2007-08	Air Emission Standards	07/05/2007	34:14 Md.R. 1304	Proposed Action	<p>Maryland Department of the Environment (MDE)</p> <p>General Administrative Provisions</p> <p>Proposes to amend Regulation 01 under COMAR 26.11.01 and Regulation 12 under COMAR 26.11.01 to incorporate by reference current and future NSPS listed under 40 CFR 60, current and future VOC definitions under 40 CFR 51.100(s), and current and future categories of NESHAP sources listed under 40 CFR Part 63. The following compounds have recently been exempted from the CFR definition of VOC:</p> <ul style="list-style-type: none"> Methyl formate; 1,1,1,2,2,3,3-heptafluoro-3-methoxy-propane (n-C3F7OCH3 or HFE-7000); 3-ethoxy-1,1,1,2,3,4,4,5,5,6,6,6-dodecafluoro-2-(trifluoromethyl) hexane (HFE- 7500); 1,1,1,2,3,3,3- heptafluoropropane (HFC-227ea); and t-butyl acetate. <p>Public meeting to be held on 08/08/2007. Comments are due 08/08/2007.</p>	
MD-2007-09	Air SIP–New Source Review	07/05/2007	34:14 Md.R. 1311	Proposed Action	<p>Nonattainment Provisions for Major New Sources and Major Modifications</p> <p>MDE proposes to amend regulations under COMAR 26.11.17 by establishing requirements for the construction of new major sources and major modifications in ozone nonattainment areas. The amendments are equivalent to EPA requirements except for the time period used to calculate a source's emissions increase following a modification. These amendments apply statewide and affect new sources in the Baltimore and Washington areas that will have emissions of 25 tons per year or more of VOCs or NOx, and new sources in the rest of the state with emissions of 50 tons per year of VOCs or 100 tons per year of NOx. Major modifications will affect major sources that will have emission increases of 40 tons per year or more. Public meeting to be held on 08/08/2007. Comments are due by 08/08/2007.</p>	

2.7 Mississippi State Regulatory Review

This summary includes items that were reviewed for potential impact to NASA Centers and Programs in Mississippi.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
MS-2007-02	Air SIP	07/12/2007	72 FR 38051	Proposed Rule	<p>Environmental Protection Agency</p> <p>Approval of Implementation Plans of Mississippi: Clean Air Interstate Rule [40 CFR 52]</p> <p>Proposes to approve a revision to the Mississippi SIP that addresses the requirements of EPA's CAIR. EPA is proposing to determine that the SIP revision fully implements the CAIR requirements for Mississippi. Therefore, as a consequence of the SIP approval, EPA also will withdraw the CAIR Federal Implementation Plans concerning SO₂, NO_x annual, and NO_x ozone season emissions for Mississippi. Comments are due 08/13/2007.</p>	

2.8 New Mexico State Regulatory Review

This summary includes items that were reviewed for potential impact to NASA Centers and Programs in New Mexico.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
NM-2007-13	Storage Tanks	07/12/2007	NMED Website	Proposed Rule	<p>Petroleum Storage Tank Bureau, NMED</p> <p>Petroleum Storage Tank Regulations [20.5 NMAC]</p> <p>The Bureau has initiated a rulemaking to revise the Petroleum Storage Tank Regulations at 20.5 NMAC as follows:</p> <ul style="list-style-type: none"> ▪ 20.5.1 NMAC—General Provisions ▪ 20.5.2 NMAC—Registration of Tanks ▪ 20.5.3 NMAC—Annual Fee ▪ 20.5.4 NMAC—New and Upgraded Storage Tank Systems: Design, Construction, and Installation ▪ 20.5.5 NMAC—General Operating Requirements ▪ 20.5.6 NMAC—release Detection ▪ 20.5.8 NMAC—Out-of Service Systems and Closure <p>These proposed revisions are available at: http://www.nmenv.state.nm.us/ust/draftregs.html.</p>	WSTF should be aware of the proposed changes.

2.9 Ohio State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Ohio.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
OH-2007-43	Air Permits	07/03/2007	OAC Chapters 3745-31 and 3745-35 ; OAC rule 3745-15-03	Proposed Rule Update Original rule update posted 03/13/2007; revised 03/29/2007	OEPA DAPC Rulemaking–PTIO Program–Proposal of Rules OEPA has proposed to the JCARR, language of rules for the new PTIO program. The PTIO program will condense the two separate permitting processes into one in an effort to eliminate duplicative tasks. For background information about the development of the PTIO program, see the PTIO program webpage . The rules are being proposed after a public comment period which ended 04/30/2007. Several comments were received. For OEPA's responses, please see the responsive summary document . For information on the rule changes, see the rule languages (3745-15 , 3745-31 , and 3745-35), synopsis , and the public hearing notice . Comments are due 08/10/2007. A public hearing also will be held on 08/10/2007. The PTIO program combines the current PTI and PTO programs.	NASA facilities should consider reviewing for applicability.
OH-2007-44	Air VOCs	05/04/2007	OAC Chapter 3745-112	Proposed Rule Update	OEPA DAPC Rulemaking–OAC Chapter 3745-112–Refilling of Rules OEPA has refiled new rules in OAC Chapter 3745-112, "Consumer Products," that originally were proposed to the JCARR on 05/04/2007. Rules 3745-112-01 to 3745-112-08 are intended to assist the State of Ohio in achieving and/or maintaining the national 8-hour ground level ozone standard through the regulation of VOCs. The rules set standards for the amount of VOCs used in consumer products sold in Ohio. VOCs are a precursor to ozone formation. The rules originally were withdrawn from the rulemaking process to address comments received concerning the proposed rule changes. Please review the synopsis , and responsive summary to comments for details regarding changes made to the proposed rule language . Please note, the refiled rules are not effective at this time. They will become effective at a future date after the completion of a review by the Joint Committee on Agency Rule Review.	
OH-2007-45	Water Surface Water Quality Standards	07/05/2007	OAC Chapters 3745-1 and 3745-2	Final Rule	OEPA Final WQS (OAC 3745-1) and Implementation of WQS (OAC 3745-2) Rules OEPA has adopted revisions to rules addressing surface water quality standards and wasteload allocation procedures. OAC Chapter 3745-1 addresses water quality standards for surface waters of the state. OAC Chapter 3745-2 addresses procedures for implementing water quality standards in wastewater discharge permit limits. The rule revisions are housekeeping in nature and are not expected to have any impact on stakeholders. Effective 10/05/2007.	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
OH-2007-46	Water Water Quality Certifications– Section 401	07/06/2007	OEPA Website	Notice	<p>Division of Surface Water, Ohio EPA</p> <p>Final Issuance of Section 401 Water Quality Certification [OAC Chapters 3745-1 and 3745-32]</p> <p>OEPA DSW has completed final issuance of the following Section 401 Water Quality Certification:</p> <p>Authorization of discharges of dredged or filled material to various waters of the State for Nationwide Permits as published by the U.S. Army Corps of Engineers on 03/12/2007 (72 FR 11092). Effective 07/06/2007.</p> <p>Original draft posted 03/30/2007. More information on Section 401 certifications is available on the OEPA website.</p>	
OH-2007-47	Water Water Quality Monitoring and Assessment Report	07/05/2007	OEPA Website	Notice	<p>OEPA</p> <p>2008 Integrated Report</p> <p>OEPA is preparing the 2008 Integrated Report, which fulfills the state's reporting obligations under Sections 305(b) and 303(d) of the CWA. The report will indicate the general condition of Ohio's waters and list those waters that are currently impaired and may require TMDL development to meet the water quality standards. Updates will be available on the website.</p>	

2.10 Texas State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Texas. Citations of the *Texas Register* are linked within the text to the corresponding entry in the version of the *Texas Register* published in HTML file format. Current and historical versions of the *Texas Register* in HTML and Adobe Acrobat (.pdf) file format are available from the [Texas Register section of the Texas Secretary of State website](#).

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
TX-2007-25	Air Fuel Dispensing	07/13/2007	32 TexReg 4411	Adopted Rule	<p>Control Of Vehicle Refueling Emissions (Stage II) at Motor Vehicle Fuel Dispensing Facilities [30 TAC §115.247]</p> <p>Adds exemption to requirements relating to Control of Vehicle Refueling Emissions (Stage II) at Motor Vehicle Fuel Dispensing Facilities. Exempts any motor vehicle dispensing facility where 95 percent or more of the motor vehicle fleet being fueled onsite is equipped with onboard refueling vapor recovery ORVR equipment. To maintain a facility's exempt status, the owner or operator must submit documentation showing the fleet meets the requirements on an annual basis (no later than 31 January of each year). For facilities where 95 percent or more of the motor vehicle fleet being fueled onsite is equipped ORVR equipment, Stage II vapor recovery equipment is an unnecessary expense because refueling emissions are captured via the vehicle's ORVR equipment instead of the Stage II dispenser. Effective 07/19/2007.</p>	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
TX-2007-26	Air Transportation– Air Quality Rules	07/13/2007	32 TexReg 4398	Adopted Rule	Control of Air Pollution from Motor Vehicles [30 TAC §80.114] Aligns certain transportation-air quality rules and definitions with state and federal statutes by repealing the following rules: <ul style="list-style-type: none"> ▪ Mobile Emission Reduction Credit program and associated fund and definitions ▪ Light-Duty Motor Vehicle Purchase or Lease Incentive Program Vehicle Emissions Information Brochure ▪ Transportation Control Measures Substitution Process These provisions were either repealed by state statute or superseded by federal statute. Effective 07/19/2007.	
TX-2007-27	General Contested Case Hearings	07/13/2007	32 TexReg 4398	Adopted Rule	Contested Case Hearings [30 TAC §80.108] Authorizes the TCEQ to direct the executive director to participate as a party in contested case hearings regarding certain permit applications. Effective 07/19/2007.	

2.11 Virginia State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Virginia.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
VA-2007-19	Pesticide Pesticide Use and Application	07/09/2007	Virginia Register Vol. 23, issue 22, p. 3684	Proposed Rule	2 VAC 20-51. Regulations Governing Pesticide Applicator Certification The proposed amendments clarify who must be certified and who must maintain records; defines the supervision standard for those in training to be pesticide applicators; add categories and subcategories for applications; establish standards for on-the-job training; and require not-for-hire applicators to maintain all records of pesticides applied. Comments are due 09/10/2007.	
VA-2007-20	Solid Waste Landfills	07/09/2007	Virginia Register Vol. 23, issue 22, p. 3706	Proposed Rule	9 VAC 20-80. Solid Waste Management Regulations The proposed amendments clarify the landfill closure definition and procedure; address plans and actions for the management of landfill gas and odors; streamline public participation requirements; broaden the definition of an airport to include military airfields; and incorporate citations for locating landfills that are protective of water supplies and wetlands. Comments are due 09/07/2007. Public hearing is on 08/13/2007 at 1 p.m., Department of Environmental Quality, Richmond, Virginia.	